

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

**KENNETH WARREN,
Plaintiff**

VS.

**INSTA-CASH ASSETS MANAGEMENT,
LP and INSTA-CASH MANAGEMENT,
LLC
Defendants**

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**Civil Action No. 9:08cv-173
Judge: HEARTFIELD**

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant, **INSTA-CASH MANAGEMENT, LLC (LLC)** and files this its Original Answer in response to Plaintiff's Original Complaint and in support thereof would respectfully show the Court as follows:

**I.
ANSWER TO COMPLAINT**

1. Defendant, **LLC**, admits paragraph one of Plaintiff's Original Complaint.
2. Defendant, **LLC**, admits paragraph two of Plaintiff's Original Complaint.
3. Defendant, **LLC**, admits paragraph three of Plaintiff's Original Complaint.
4. Defendant, **LLC**, would show that the first sentence of paragraph 4 of Plaintiff's Original Complaint is a jurisdictional statement and Defendant does not deny this court has jurisdiction over the Plaintiff's Complaint. Defendant, **LLC**, denies that Plaintiff was an employee of Defendant, **LLC**.

5. Defendant, LLC, would show that paragraph 5 of Plaintiff's Original Complaint is a jurisdictional statement and Defendant does not deny this court has jurisdiction over the Plaintiff's Complaint.
6. Defendant, LLC, would show that paragraph 6 of Plaintiff's Original Complaint is a jurisdictional statement and Defendant does not deny this court has jurisdiction over the Plaintiff's Complaint.
7. Defendant, LLC, admits the allegations contained in Paragraph 7 of Plaintiff's Original Complaint.
8. Defendant, LLC, admits the allegations contained in Paragraph 8 of Plaintiff's Original Complaint.
9. Defendant, LLC, admits that the Plaintiff was discharged but denies that Defendant, LLC, employed or discharged Plaintiff. Defendant denies the remaining allegations contained in paragraph 9 of Plaintiff's Original Complaint.
10. Defendant, LLC, admits that the Plaintiff was discharged but denies that Defendant, LLC, employed or discharged Plaintiff. Defendant denies the remaining allegations contained in paragraph 10 of Plaintiff's Original Complaint.
11. Defendant, LLC, denies the allegations contained in Paragraph 11 of Plaintiff's Original Complaint.
12. Defendant, LLC, would show that paragraph 12 of Plaintiff's Original Complaint is a procedural statement and does not require a response.
13. Defendant, LLC, denies the allegations contained in paragraph 13 and denies the Plaintiff is entitled to the relief sought in paragraph 13 of Plaintiff's Original Complaint.

II.

GENERAL DENIAL

14. Defendant, **LLC**, denies generally, each and every, all and singular, the allegations of Plaintiff's Original Complaint, except wherein expressly admitted, and demands strict proof thereof by the appropriate standard of proof.

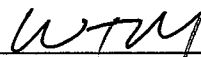
III.

AFFIRMATIVE DEFENSES

15. Defendant, **LLC**, would show that it is not a proper party to this suit as Defendant did not employ the Plaintiff.

WHEREFORE, PREMISES CONSIDERED, Defendant, **INSTA-CASH MANAGEMENT, LLC**, prays that upon final trial and hearing hereof that Plaintiff, **KENNETH WARREN**, take nothing by reason of his suit and that Defendant requests any further relief to which it has shown it justly entitled to.

Respectfully submitted,



WARREN T. MCCOLLUM

SBN: 24013127

FENLEY & BATE, L.L.P.

P.O. Box 450

Lufkin, Texas 75902-0450

TPN: (936) 634-3346

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ATTORNEYS FOR DEFENDANT

**INSTA-CASH ASSETS MANAGEMENT, LP
AND INSTA-CASH MANAGEMENT, LLC,**

CERTIFICATE OF SERVICE

I, the undersigned attorney of record in the above-numbered and styled cause, do hereby certify that on the 25 day of September, 2008, served a true and correct copy of the foregoing Defendant's Original Answer to:

Mr. Scott Skelton
Attorney at Law
P.O. Box 1728
Lufkin, Texas 75902
FAX: (936) 632-6545

<input type="checkbox"/>	By certified mail
<input type="checkbox"/>	By regular mail
<input type="checkbox"/>	By overnight mail
<input checked="" type="checkbox"/>	By ECM
<input type="checkbox"/>	By Facsimile



WARREN T. MCCOLLUM